

Unit Heading

SUBJECT: Order to Military Duty

TO:

1. The following named individual is ordered to perform military duty for the period and purpose indicated:

1. GRADE, NAME:		
2. STREET:	3. CITY:	4. STATE, ZIP:

2. Period and location of military duty:

1. FROM (Date and Time):	2. TO (Date and Time):
2. LOCATION:	

3. Type of military duty:

- ☐ Inactive Duty Training
*See note below
- ☐ Annual Training
(e.g., Summer Camp)
- ☐ Additional Duty Special Work
(e.g., active service school)
- ☐ State Active Duty
- ☐ Other (Explain) _____

* Inactive Duty Training includes weekend drills, training performed on a weekday in lieu of a weekend, additional flying training periods, etc., for which paid military leave is not normally authorized.

4. The above-named California National Guard member hereby requests a leave of absence from his/her employment, pursuant to Title 38, United States Code, Section 2024 and California Military and Veterans Code, Section 395.

5. Notes to Employer:

a. Federal Law (Title 38, United States Code, Section 2024) provides that all employees (federal, state, local government or private) must be granted a leave of absence to perform the following National Guard duty: Inactive duty for training (drills), annual training (e.g., summer camp), additional duty special work (e.g., active service schools) and call-ups for federal active duty. The Guardsman must be permitted to return to his position with such seniority, status, rate of pay, and vacation as he would have had if he had not been ordered to National Guard duty.

b. In addition, California State law (Military and Veterans Code, Sections 394 and 395) provides similar employment rights to all Guardsmen for the performance of military duty including emergency state active duty. It is a misdemeanor to discharge, deny employment, discourage performance of duty, or otherwise discriminate against National Guard personnel because of their Guard duty or status.

c. California State law (Military and Veterans Code, Section 395.01) also provides that state, local and other public agency employees are entitled to receive up to 30 days paid military leave per fiscal year from their employer for active National Guard duty. Federal employees are entitled to 15 days of military leave with pay for such duty. Inactive duty (weekend drills), however does not entitle a Guardsman to paid military leave.

d. It is the Guard member's obligation to notify the employer in advance, if possible, of an order to perform military duty and to present a copy of his/her orders (e.g., this form) to the employer.

e. If you have any questions concerning employer obligations or rights you are encouraged to contact the undersigned or the Staff Judge Advocate, California National Guard, 9800 Goethe Road, Sacramento, CA 95827-3563.

(UNIT TELEPHONE NUMBER)

(COMMANDER)